

SHIBOLETH

Shiboleth, Yisraeli, Roberts & Zisman, LLP

October 18, 2007

By Hand

Hon. Denise Cote
United States District Judge
United States Courthouse
500 Pearl Street, Room 1040
New York, New York 10007

McCarthey Investments, LLC, et al. v. Abbas A. Shah, Linuxor Asset Management, LLC and Linuxor Capital Management, LLC.; 07 CV 5617, 5618, 5619

Request to File Sur-Reply

■ Dear Judge Cote:

■ I represent Respondents Abbas A. Shah, Linuxor Asset Management, LLC and Linuxor Capital Management, LLC in connection with the above-referenced actions.

■ Respondents respectfully request leave of this Court to submit a brief Sur-Reply, as Petitioners have asserted facts and raised issues that were not previously mentioned in their papers and which Respondents have not had the opportunity to address. We attach a copy of the proposed Sur-Reply for the Court's information.

Very truly yours,

Charles B. Manuel, Jr.

■ cc: Anthony W. Djinis, Esq.
■ Pickard and Djinis, LLP
■ 1990 M Street, N.W.
■ Suite 660
■ Washington, DC 20036
■ By Fax – 202-331-3813

■ **1 Penn Plaza, Suite 2527 · New York, NY 10119**
■ Phone 212-244-4111 · Fax 212-563-7108 · Email info@shibolet.com

Tel Aviv Affiliate
■ Museum Tower, 4
■ Berkowitz Street
■ Tel Aviv 64238 Israel
■ Phone 972-3-777-8333
■ Fax 972-3-777-8444
manager@shibolet.com